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PTO/SB/21 (08-00)

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<b>TRANSMITTAL FORM</b>  (to be used for all correspondence after initial filing)	Application Number	09/597,917
	Filing Date	06/19/00
	First Named Inventor	Koenck
	Group Art Unit	2876
	Examiner Name	Jamara A. Franklin
	Attorney Docket Number	1772/14410US01

**ENCLOSURES (check all that apply)**

<input checked="" type="checkbox"/> Fee Transmittal Form <input checked="" type="checkbox"/> Fee Attached - \$180.00 <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input checked="" type="checkbox"/> Information Disclosure Statement (2 pages) <input checked="" type="checkbox"/> PTO 1449 (5 pages) with copies of 81 cited references <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Assignment Papers (for an Application) <input type="checkbox"/> Drawing(s) (        sheets) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): <input checked="" type="checkbox"/> Reply postcard		
<table border="1"><tr><td>Remarks</td><td></td></tr></table>			Remarks	
Remarks				

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

Firm or Individual Name	Ronald H. Spuhler, Reg. No. 52,245 McAndrews Held & Malloy, Ltd.
Signature	<i>Ronald Spuhler</i>
Date	March 9, 2004

**CERTIFICATE OF MAILING**

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on March 9, 2004

Name (Print/type)	Ronald H. Spuhler	Registration No. (Attorney/Agent)	52,245
Signature	<i>Ronald Spuhler</i>	Date	03/09/04





Attorney Docket No. 14410US01

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the Application of:  
Steven E. Koenck

Serial No. 09/597,917

Filed: June 19, 2000

For: Modular Portable Data Processing  
Terminal For Use In A Radio  
Frequency Communication Network

Examiner: Jamara A. Franklin

Group Art Unit: 2876

**CERTIFICATE OF MAILING**

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22313-1450 on March 9, 2003.

*Ronald Spuhler*

Ronald H. Spuhler  
Reg. No. 52,245

**TRANSMITTAL OF INFORMATION DISCLOSURE  
STATEMENT AFTER APPLICATION FILING DATE**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Enclosed are the following:

- \* A completed PTO form 1449 (modified) which has five (5) pages.
- \* A copy of each printed or patented reference listed in the enclosed form 1449 and not previously provided to or by the PTO in this application. Eighty one (81) references are enclosed.

**FEE DETERMINATION**

03/12/2004 SSESHE1 00000093 09597917

01 FC:1806

180.00 DP

\* A fee of \$180.00 is due because:

- \* The first Office action on the merits has been received by applicant(s).
- \* Applicant(s) believe(s) that this statement and enclosures are being filed before any final action has been mailed by the PTO; before a notice of

allowance has issued; and prior to any other action that would close prosecution in the application. The basis of this belief is that no final action, no notice of allowance, and no other action that would close prosecution of the application appears to have been received by the undersigned to date.

#### **FEE PAYMENT**

The following arrangements have been made to pay the fees calculated above:

\* A check for \$180.00 is enclosed herewith.

The Commissioner is hereby authorized to charge any additional fees which are presently required, or credit any overpayment, to Deposit Account No. 13-0017.

#### **REQUEST FOR CONSIDERATION**

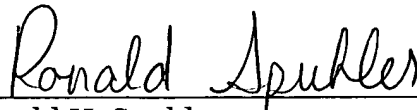
This paper and enclosures are believed to be entitled to consideration under 37 C.F.R. § 1.97, based on the facts stated above.

All references submitted herewith were cited by Agere Systems, Inc. in connection with discovery in Agere Systems, Inc. v. Broadcom Corp., which is Civil Action No. 03-3138 in the Eastern District of Pennsylvania.

This submission is in no way intended as an admission that the cited references constitute prior art under any subsection of 35 U.S.C. § 102 or §103. Applicant expressly retains the right to argue that any of the cited references are not indeed prior art or to take any actions necessary to remove any of the cited references from the available prior art.

The Examiner is requested to initial both copies of the enclosed PTO-1449 (modified) and return one copy to the applicants to indicate consideration of the enclosed references.

Respectfully submitted,

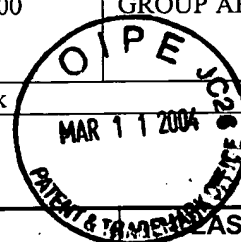


Ronald H. Spuhler  
Reg. No. 52,245

Date: March 9, 2003

McAndrews, Held & Malloy  
500 West Madison Street, Suite 3400  
Chicago, Illinois 60661  
(312) 775-8000

FORM PTO-1449	SERIAL NO.: 09/597,917	CASE NO.: 1772/14410US01
<b>LIST OF PATENTS AND PUBLICATIONS FOR APPLICANT'S INFORMATION DISCLOSURE STATEMENT</b>	FILING DATE: 06/19/00	GROUP ART UNIT: 2876
(use several sheets if necessary)	APPLICANTS: Koenck	



## REFERENCE DESIGNATION

## U.S. PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS/ SUBCLASS	FILING DATE
	A2	4,519,068				
	A3	4,545,023				
	A4	4,680,787				
	A5	4,731,796				
	A6	4,737,975				
	A7	4,761,822				
	A8	4,777,657				
	A11	4,807,282				
	A12	4,817,115				
	A13	4,850,009				
	A14	4,890,832				
	A15	4,894,792				
	A16	4,916,441				

## FOREIGN PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	COUNTRY	CLASS/ SUBCLASS	TRANSLATION YES	NO

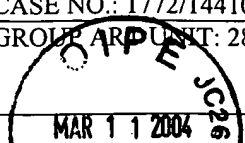
EXAMINER INITIAL	OTHER ART (Including Author, Title, Date, Pertinent Pages, etc.)	
	C1	Bagby, <i>One Approach to Wireless Network Architecture</i> , Document P802.11/91-2
	C2	Biba, <i>A Hybrid Wireless MAC Protocol Supporting Asynchronous and Synchronous MSDU Delivery Services</i> , IEEE P802.11/91-92
	C3	Biba, <i>A Modest Proposal for a Asynchronous, Data Intensive, Wireless Local Area Network</i> , Document P802.11/91-25
	C9	Hoberecht, <i>A Layered Network Protocol for Packet Voice and Data Integration</i> , IEEE Journal on Selected Areas in Communications, Vol. SAC-1, No. 6 (Dec. 1993)
	C10	Rypinski, <i>Architecture – Topology and Protocol Stacks</i> , IEEE 802.11/91-21
	C11	Austin, <i>The Universal Port Concept</i> , AT&T Technical Journal (March/April 1989)

## REFERENCE DESIGNATION

## U.S. PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS/ SUBCLASS	FILING DATE
EXAMINER:				DATE CONSIDERED:		

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

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(use several sheets if necessary)	APPLICANTS: Koenck	

## REFERENCE DESIGNATION

## U.S. PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	SUBCLASS	FILING DATE
	A18	4,969,206				
	A21	5,008,879				
	A25	5,033,109				
	A27	5,055,660				
	A30	5,117,501				
	A33	5,123,029				
	A36	5,142,573				
	A39	5,153,878				
	A42	5,179,721				
	A43	5,181,200				
	A45	5,239,662				
	A46	5,241,542				
	A48	5,249,220				

## FOREIGN PATENT DOCUMENTS

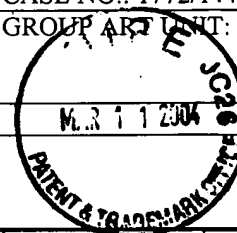
EXAMINER INITIAL		DOCUMENT NUMBER	DATE	COUNTRY	CLASS/ SUBCLASS	TRANSLATION YES	NO

EXAMINER INITIAL	OTHER ART (Including Author, Title, Date, Pertinent Pages, etc.)	
	C12	Baker, <i>CT2/CA1 Technology and the Common Air Interface, Colloquium on "CT2/CA1 AND DECT CORDLESS TELECOMMUNICATIONS"</i> (Nov. 1990)
	C13	Chia, <i>The Universal Mobile Telecommunication System</i> , IEEE Communications Magazine (Dec. 1992)
	C14	Digital European Cordless Telecommunications Reference Document (March 1991)
	C15	Epstein, <i>Application of Commercial Wireless LAN Technology to Forward Area Mobile Communication</i> , MILCOM '93
	C16	Grillo, <i>European Perspectives on Third Generation Personal Communication Systems</i> , 40 <sup>th</sup> IEEE Ventricular Technology Conference (May 1990)
	C17	Grillo, <i>Towards Third Generation Mobile Systems: A European Possible Transition Path</i> , Computer Networks and ISDN Systems (March 1993)

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## U.S. PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS/ SUBCLASS	FILING DATE
	A49	5,249,302				
	A50	5,265,238				
	A55	5,289,469				
	A56	5,291,516				
	A60	5,323,392				
	A61	5,331,509				
	A62	5,349,649				
	A64	5,363,121				
	A65	5,373,149				
	A69	5,406,615				
	A70	5,406,643				
	A71	5,418,837				
	A72	5,423,002				
	A73	5,426,637				
	A74	5,430,845				
	A75	5,438,329				

## FOREIGN PATENT DOCUMENTS

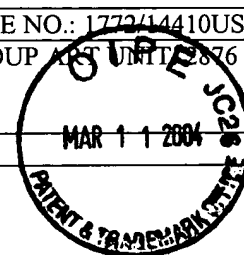
EXAMINER INITIAL		DOCUMENT NUMBER	DATE	COUNTRY	CLASS/ SUBCLASS	TRANSLATION YES NO

EXAMINER INITIAL	OTHER ART (Including Author, Title, Date, Pertinent Pages, etc.)	
	C20	Rahnema, <i>Overview of the GSM System and Protocol Architecture</i> , IEEE Communications Magazine (April 1993)
	C21	Ramsdale, <i>Personal Communications --- Toward the Third Generation</i> , Third IEEE Conference on Telecommunications (1991)
	C22	Tuttlebee, <i>Cordless Telecommunications in Europe</i> (1990)

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	A78	5,481,265				
	A79	5,481,562				
	A80	5,533,029				
	A81	5,535,373				
	A82	5,544,222				
	A83	5,579,487				
	A85	5,628,055				
	A86	5,630,061				
	A87	5,680,633				
	A88	5,732,346				
	A89	5,796,727				
	A91	5,839,051				
	A92	4,855,905				
	A94	5,115,432				
	A95	5,212,684				
	A96	5,239,466				
	A97	5,247,520				

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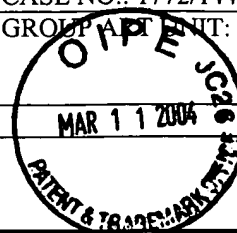
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## REFERENCE DESIGNATION

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